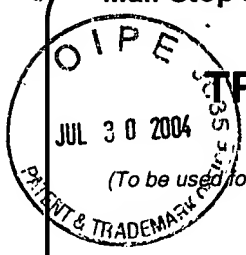


376/41

<b>Mail Stop Amendment</b>  <b>TRANSMITTAL FORM</b> (To be used for all correspondence after initial filing)		Application Number	09/698,743
		Filing Date	October 27, 2000
		Confirmation Number	6821
		Inventor(s)	BOWEN et al.
		Group Art Unit	3761
		Examiner	Dawson, G.
Total Number of Pages in This Submission: 9		Attorney Docket No.	99-26

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ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <small>(submit in duplicate)</small> <input type="checkbox"/> Fee Attached \$ <span style="border: 1px solid black; padding: 0 20px;"> </span> Check No.: <span style="border: 1px solid black; padding: 0 20px;"> </span>	<input type="checkbox"/> Assignment Papers <input type="checkbox"/> Cover Sheet <input type="checkbox"/> Drawing Change Authorization Request and Amended Figure(s) <input type="checkbox"/> Request for Return of PTO-1449 Forms <input type="checkbox"/> Petition to the Commissioner <input type="checkbox"/> To Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Address <input type="checkbox"/> Terminal Disclaimer(s) <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Request for Corrected Filing Receipt	<input type="checkbox"/> Issue fee Transmittal Form PTOL-85(b) + (c) and cover sheet <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Request Letter <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund <input type="checkbox"/> Response to Missing Parts / Incomplete Application <input type="checkbox"/> Response to File Corrected Application Papers
<input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits / Declaration(s)		
<input type="checkbox"/> Extension of Time Request <input checked="" type="checkbox"/> Information Disclosure Statement <input checked="" type="checkbox"/> Form PTO-1449 <input checked="" type="checkbox"/> Cited References <input checked="" type="checkbox"/> Search report		
<input type="checkbox"/> Drawing(s): Number of Pages _____ Number of Figs. _____ and cover sheet <input type="checkbox"/> Formal <input type="checkbox"/> Informal	<input type="checkbox"/> Other Enclosure(s): _____	

<b>Current Due Date:</b> None	
<b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT</b>	
Individual and Company	Michael W. Haas, Reg. No. 35,174 RESPIRONICS, Inc., 1010 Murry Ridge Lane, Murrysville PA, 15668
Signature	<i>Michael W. Haas</i>
Date	July 28, 2004

CERTIFICATE OF MAILING	
I hereby certify that this correspondence and all enclosures are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA, 22313-1450 on this date: <u>July 28, 2004</u> .	
Typed Name	Michael W. Haas, Reg. No. 35,174
Signature	<i>Michael W. Haas</i>
Date	July 28, 2004



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of

Inventor : BOWEN et al.  
Appln. No. : 09/698,743  
Conf. No.: : 6821  
Filed: : October 27, 2000  
Title: : METHOD AND APPARATUS FOR MONITORING AND  
CONTROLLING A MEDICAL DEVICE  
  
Group Art Unit : 3761  
Examiner : Dawson, G.  
Docket No. : 99-26

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AUG 04 2004  
TECHNOLOGY CENTER R3700

\* \* \* \* \*

July 28, 2004

**INFORMATION DISCLOSURE STATEMENT**

Hon. Commissioner of Patents  
and Trademarks  
Alexandria, VA 22313-1450

Sir:

Attached is a Form PTO-1449 listing the enclosed documents.


I hereby certify that each enclosed document listed on the herewith Form PTO-1449 was cited in the attached European Search Report, dated June 17, 2004, issued in a counterpart foreign application not more than three months ago.

See the degree of relevancy and the particular passages cited for each document in that Search Report.

Should a final Rejection or Notice of Allowance have been issued on the same day as or before the filing date of this Information Disclosure Statement, please consider this a

**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)**

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on July 28, 2004 with sufficient postage as first class mail in an envelope addressed to:  
Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
Michael W. Haas, Reg. No. 35,174

BOWEN et al. -- Appln. No.: 09/698,743

Petition under Rule 97(d) (ii), charge the petition fee to our Deposit Account No. 05-0558 and proceed to consider this Information Disclosure Statement under Rule 97(d).

This Information Disclosure Statement is intended to be in full compliance with the rules, but should the Examiner find any part of its required content to have been omitted, prompt notice to that effect is earnestly solicited, along with additional time under Rule 97(f), to enable Applicant to comply fully.

Consideration of the foregoing and enclosures plus the return of a copy of the herewith Form PTO-1449 with the Examiner's initials in the left column per M.P.E.P. § 609 along with an early action on the merits of this application are earnestly solicited.

Respectfully submitted,

By Michael W. Haas

Michael W. Haas

Reg. No.: 35,174

Tel. No.: (724) 387-5026

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RESPIRONICS, INC.  
1010 Murry Ridge Lane  
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<b>Application No.</b>	09/698,743
<b>Filing Date</b>	October 27, 2000
<b>Inventor</b>	BOWEN et al.
<b>Confirmation No.</b>	6821
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<b>Examiner:</b>	Dawson, G.
<b>Attorney Docket No:</b>	99-26

Date	July 28, 2004		
Sheet	1	of	1

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Examiner Initials	Cite No.	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T
		Country Code-Number-Kind Code				
		GB-2 334 805-A	09-01-1999	Simler		
		WO-98/33433	08-06-1998	Healthdyne Technologies, Inc.		
		WO-97/16216	05-09-1997	Compumedics Sleep Pty. Ltd.		
		EP-0 575 256-A1	12-22-1993	Gemplus Card International		
		WO-95/32016	11-30-1995	Puritan-Bennett Corporation		

Examiner Signature		Date Considered	
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RI-1449 (Rev. 03/2004)